

**Kurtz Law Offices, LLC**

414 South State Street  
Lockport, Illinois 60441  
Phone: 815.838.0968  
Fax: 312.893.2239  
www.kurtzlaw.us

March 12, 2008

**VIA FACSIMILE 708.531.8801 & U.S. MAIL**

Mr. George Spataro  
Ms. Holly Tomchey  
Del Galdo Law Group, LLC  
10526 West Cermak Road, Suite 300  
Westchester, Illinois 60154

Re: *Solomos v. Cicero, et al.*  
Case No. 07 C 3354 (N.D. Ill.)

Dear Counsel:

I am writing this letter pursuant to Rule 37.2 to discuss deficiencies in the Town of Cicero's document production. This letter will also serve as a follow up to Ms. Tomchey's letter of January 17, 2008. We realized that you and Mr. Zimmer have been on trial recently. However, we have been more than cooperative in allowing more time to complete these requests, as they were originally due in October. The discovery deadline is quickly approaching and we cannot proceed with depositions until we receive compliance with our document requests. Therefore, please correct the following deficiencies by March 18, 2008. Otherwise we will seek a motion to compel.

**Request No. 2**

- Please confirm that you have produced all documents responsive to this request. Moreover, you made an objection based on attorney-client and work product privileges. A privilege log is required under the Rule. Please provide us with a privilege log.

**Request No. 3**

- Please respond to this request as modified in accordance with information provided by Ms. Tomchey on January 17, 2008. Furthermore, January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. The information that is requested in (a) is comparative evidence to which Plaintiff is entitled under Title VII. The information requested in (b) and (c) is relevant and necessary in order to prepare for depositions.

The complete personnel, employment, training, evaluation and disciplinary files of: (a) all persons in the same job classification as Plaintiff, and/or in the Violations department and/or Collector's Office; (b) all persons who were involved in the decision, in whole or part,

March 12, 2008

Letter to Mr. George Spataro & Ms. Holly Tomchey

Page 2 of 5

---

to investigate and/or discipline Plaintiff, to remove Plaintiff from any position, or to deny Plaintiff any special assignment; and (c) each individual Defendant;

**Request No. 4**

- Please respond to this request as modified in accordance with information provided by Ms. Tomchey on January 17, 2008. Furthermore, January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. This request is for documents relevant to Plaintiff's pattern and practice claims under Title VII as well as comparative evidence to which Plaintiff is also entitled under Title VII.

All documents relating and referring to disciplinary action taken against any parking enforcement officer, and/or employee of the Violations Department and/or Collector's Office employed by you, the Defendant Town of Cicero;

**Request No. 6**

- For clarification this request asks for documents received from the individual defendants. Attorney Petkus has represented that the individual defendants gave all of their documents to the Town's attorneys. We are entitled to documents from the individual defendants. This request also covers any documents that have been tendered to the Illinois Department of Human Rights and/or the U.S. Equal Employment Opportunity Commission in defense of Plaintiff's claims. This request also covers documents tendered to and/or received from R.E. Walsh & Associates relating to the investigation of Plaintiff's claims. If documents are withheld on the basis of attorney/client privilege and/or work product doctrine, then please provide the required privilege log.

All documents Defendant and/or Defendant's employees and/or agents received from or delivered to any person regarding any fact or allegation contained in the Complaint and any amendment thereto or Answer;

**Request No. 7**

- Please confirm that you have produced all documents relating to or bearing upon any investigation, inquiry, interrogation or gathering of evidence conducted by Defendant or Defendant's agents, relating to any allegation contained in the Complaint or any amendments thereto, Defendant's Answer, and/or any complaint made by Plaintiff. This includes the investigation by R.E. Walsh & Associates, which was conducted at the direction of the Town of Cicero. If documents are withheld on the basis of attorney/client privilege and/or work product doctrine, then please provide the required privilege log.

March 12, 2008

Letter to Mr. George Spataro & Ms. Holly Tomchey

Page 3 of 5

---

**Request No. 8**

- January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. This request is for documents relevant to Plaintiff's pattern and practice claims under Title VII.

All documents which concern or relate in any way to complaints of harassment, discrimination, or retaliation made against Defendant, and/or any employees of Defendant, and/or any employees of the Town of Cicero;

**Request No. 11**

- Please respond to this request as modified in accordance with information provided by Ms. Tomchey on January 17, 2008. Furthermore, January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. This request is for documents relevant to Plaintiff's pattern and practice claims under Title VII.

Documents relating and referring to any sexual harassment training provided by Defendant Town of Cicero and/or to any employee of the Town of Cicero, including employees of the Violations Department, including but not limited to any documents passed out at the training, any documents referenced or used in the training and/or relied upon to create the training, sign-in sheets, and other documents relating thereto;

**Request No. 12**

- Please respond to this request now that you and Mr. Zimmer are no longer in trial.

Any and all documents, described, identified, refereed and/or responsive to Defendant's Answers to Plaintiff's First Set of Interrogatories; or which were read, reviewed, relied upon, or otherwise utilized in any manner in preparing Defendant's Answers to said Interrogatories.

**Request No. 13**

- January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. This request is specifically for any documents relating to reassigning Plaintiff to the midnight shift and moving her to the Building Department. This request also seeks documents relating to the reassignment of other employees. This request is for documents relevant to Plaintiff's pattern and practice claims under Title VII as well as comparative evidence to which Plaintiff is also entitled under Title VII.

March 12, 2008

Letter to Mr. George Spataro & Ms. Holly Tomchey

Page 4 of 5

---

**Request No. 14**

- Please respond to this request as modified in accordance with information provided by Ms. Tomchey on January 17, 2008.

Copies of any and all Rules and Regulations, Policy and Procedures, and/or General Orders of the Town of Cicero in effect from 2002 to present that apply to non-union employees of the Town of Cicero Violations Department and/or Collector's Office.

**Request No. 15**

- Please respond to this request now that you and Mr. Zimmer are no longer in trial.

Any and all electronic data, including but not limited to electronic mail; word processing files; spreadsheets; databases; and/or computer or data files of any sort, that contain information responsive to these requests or Defendant's Answers to Plaintiff's First Set of Interrogatories;

**Request No. 16**

- January 2001 is the relevant time frame provided in the definitions section of Plaintiff's interrogatory requests and is incorporated and applicable to Plaintiff's document requests. You made an objection based on attorney-client and work product privileges. A privilege log is required under the Rule. Please provide us with a privilege log..

All documents that comprise or relate to Defendant's policies, directives, customs, or practices regarding the retention, maintenance, and destruction of documents, including but not limited to electronic data, computer files, and/or documents in hard copy;

The documents should be produced in a readable, un-redacted format. If you require a protective order, we can discuss and agree on the terms of a protective order to protect personnel information. Please produce the above referenced documents on or before March 18, 2008.

Please also produce the insurance agreement and/or policy. Mr. Petkus has confirmed that in fact the Town has an applicable insurance policy and that the individual defendants are covered under that policy.

Thank you for your prompt attention to this matter.

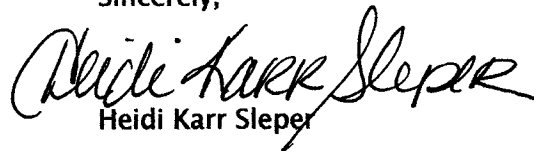
March 12, 2008

Letter to Mr. George Spataro & Ms. Holly Tomchey

Page 5 of 5

---

Sincerely,

A handwritten signature in black ink, appearing to read "Heidi Karr Sleper". The signature is fluid and cursive, with the first name "Heidi" being the most prominent.

Heidi Karr Sleper

cc: Tobin, Petkus & Munoz



## Kurtz Law Offices, LLC

414 South State Street  
Lockport, Illinois 60441  
Phone: 815.838.0968  
Fax: 312.893.2239  
www.kurtzlaw.us

### FAX COVER SHEET

<b>To:</b> Mr. George Spataro Ms. Holly Tomchey Mr. Craig Tobin Mr. Tomas Petkus Mr. Carl Schook	<b>Fax:</b> 708.531.8801  312.641.5220
<b>From:</b> Heidi Karr Sleper	<b>Date:</b> March 12, 2008
<b>Re:</b> Solomos v. Town of Cicero, et al.	<b>Pages:</b> 6 (including cover sheet)

☒ Urgent    ☐ Reply ASAP    ☐ Please Comment    ☐ For Your Records

Comments:

This communication is for the exclusive and confidential use of the designated recipient. Any other distribution or use is unauthorized and strictly prohibited. If you have received this communication in error, please notify the sender by telephone at 815.838.0968 and return the original message to the above address via the U. S. Postal Service.

TRANSMISSION VERIFICATION REPORT

TIME : 03/12/2008 11:17  
NAME : KURTZ LAW OFFICES  
FAX : 13128932239  
SER.# : BROL6F698442

DATE, TIME	03/12 11:13
FAX NO./NAME	17085318801
DURATION	00:03:22
PAGE(S)	06
RESULT	OK
MODE	STANDARD
	ECM

TRANSMISSION VERIFICATION REPORT

TIME : 03/12/2008 12:26  
NAME : KURTZ LAW OFFICES LL  
FAX : 3128932239  
TEL :  
SER.# : E7J119339

DATE, TIME	03/12 12:25
FAX NO./NAME	13126415220
DURATION	00:00:49
PAGE(S)	06
RESULT	OK
MODE	STANDARD
	ECM